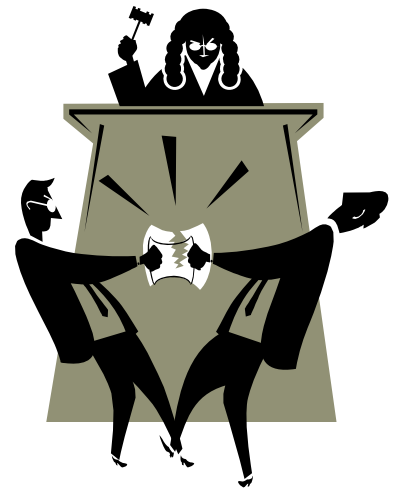


Opening an Adversary Proceeding

Revised 05/2007

To assist users with the opening of an Adversary Proceeding the following procedure is provided. After logging in to CM/ECF:



- A. Select Adversary, then Open AP Case.
- B. Select complaint Y, unless this is a notice of removal then select N. The system will ask for a lead case number, insert the number of the Bankruptcy case from which this originates.
- C. On the Search for Party screen enter the last name or SS# of the Plaintiff and click search for the party.
- D. Use the list that pops up to determine **IF** the plaintiff party is already in the CM/ECF system—clicking on the name will cause a pop-up box to display that shows the mailing address of the selected name.
 - ⇒ If they are **ARE** in the system click select Name From List.
 - ⇒ If they **ARE NOT** in the system click the Create New Party button.
- E. Input or update address information as necessary. Specify the Role of this Plaintiff in the main bankruptcy case by choosing the appropriate selection in the “Role in Bankruptcy Case” box.
- F. Click the Attorney button.

On the Search for attorney page insert the Attorney’s Bar Id or Last Name.
- G. **Be certain to select the filing attorney from the list that displays. Do not ADD** a new attorney. Adding yourself again as an attorney would cause the case to be linked to an account **other** than your primary CM/ECF account and you would not receive correct notices in this case. Click the add attorney button.

The Party Information screen appears again. Input any aliases by clicking the alias button. Be certain to select the appropriate prefix for the name

ex: AKA = also known as,
 FKA = formerly known as, etc.
- Corporate Entities:** Corporate parents must be added in the ECF system if plaintiff is a corporate entity that directly or indirectly owns ten percent (10%) or more of any class of the corporation’s equity interests. This is accomplished by clicking on Corporate Parent button and inputting the appropriate information. Additional information on corporate parents may be found at the back of this procedure.
- H. Click Submit to finalize the input of the plaintiff’s information.
- I. Add additional plaintiffs by repeating the steps above. When all plaintiffs are added click “End Plaintiff Selection.”
- J. At the “Search for a Defendant” screen input the defendant’s last name and click search.
- K. Proceed by adding the defendant in the same way you added the plaintiff (steps D &

- E). **DO NOT** add an attorney to the defendant. This will be accomplished if the defendant's attorney responds to the complaint. Click submit, add additional defendants as necessary. When all defendants are entered, click End defendant selection.
- L. Continue through the opening process by specifying the Nature or Natures of Suit. The Demand amount should be rounded to the nearest thousand with the last three zeros removed. Attach the Complaint and continue through the event selecting the appropriate variables such as, Fee Required, Fee Amount and whether it is deferred.
- M. At the **Docket Text Modify as Appropriate** screen, be CERTAIN that your parties display as you wish them to before filing. If they do not display as expected or if you have any questions regarding this process, contact the help desk for further assistance at 918-699-4072, or cmecf@oknb.uscourts.gov.

PLEASE NOTE: a cover sheet is **Not** required when filing an Adversary Proceeding in the ECF system.

Once the Adversary Proceeding is filed, the Clerk's Office will issue the summons by the next business day. This summons will be emailed to the filer of the Adversary who then should serve the defendant(s) and then file in the case a Certificate of Service of Summons.

Adversary > Miscellaneous/Other > Certificate of Service of Summons

NOTES FOR CORPORATE ENTITIES:

When a corporation opens an adversary as a plaintiff, or responds to the summons as a defendant, a Corporate Ownership Statement must be filed in a separate pleading to be filed concurrently with the first pleading filed in the adversary.

See Miscellaneous Order 171 for further information on Corporate Ownership Statements (http://www.oknb.uscourts.gov/rules/general_orders/MO171.pdf).